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EXHIBITS A THROUGH G

TO

AIDE MEMOIRE

January 15, 1975

1005088530

Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

Ex. A

1005088531

Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

EXHIBIT A

The Order

ORDER

I.

IT IS ORDERED that respondent Brown and Williamson Tobacco Corporation, a corporation, its successors and assigns and respondent's officers, agents, representatives and employees directly or through any corporation, subsidiary, division or other device, in connection with the offering for sale, sale or distribution of cigarettes in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from advertising any such cigarette unless respondent makes in all advertisements of such cigarette a clear and conspicuous disclosure of the statement prescribed in Section 4 of the Public Health Cigarette Smoking Act of 1969 (Public Law 91-222) which reads:

"Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health."

A. For the purposes of this Order, the term "cigarette" shall mean (A) any roll of tobacco wrapped in paper or in any substance not containing tobacco, and (B) any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in subparagraph (A).

B. For the purposes of this Order, the term "advertisement" shall mean all advertising in newspapers, magazines, and other periodicals published and distributed in the United States and other periodicals distributed primarily to members or units of the Armed Forces of the United States located abroad, and advertisements appearing on billboards placed or located within the United States and in other materials as specified in Sections D, E, and F.

C. For the purposes of this Order, the term "clear and conspicuous disclosure" shall mean that

1. The language of the warning statement shall be precisely as prescribed by Congress in Section 4 of the Public Health Cigarette Smoking Act of 1969.

2. The warning statement shall be set in two horizontal lines parallel with the base of the advertisement, separated by leading equivalent to the lower case "x-height", excluding the ascending and descending

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letters, of the particular type size. In any case where the width of an advertisement in any printed medium is too narrow because of the columnar format, the warning statement may appear in three lines provided there is full compliance with all other requirements in this definition.

3. The warning statement in newspaper, magazine, and other periodical advertisements shall appear in Univers 47 (Fdy) type style. The type size to be employed shall be the following:

10-point type.....in newspaper, magazine, and other periodical advertisements of a trim size not larger than 65 square inches.

12-point type.....in newspaper, magazine, and other periodical advertisements of a trim size larger than 65 square inches but not larger than 110 square inches.

14-point type.....in newspaper, magazine, and other periodical advertisements of a trim size larger than 110 square inches but not larger than 180 square inches.

16-point type.....in newspaper, magazine, and other periodical advertisements of a trim size larger than 180 square inches.

A double full-page or a multiple full-page advertisement in any non-tabloid newspaper shall contain a separate warning statement in 16-point type on each page. A double full-page or multiple full-page advertisement in any tabloid newspaper, magazine or other periodical shall not be required to contain more than one warning statement but the type size requiremen.. shall be determined by the total aggregated size of the entire advertisement. An advertisement which occupies one full page and part of another page in any newspaper, magazine or other periodical shall not be required to contain more than one warning statement, but the type size requirement shall be determined by the total aggregated size of the entire advertisement, and the warning statement shall appear on the full page on which the advertisement appears. An advertisement which occupies part of each of two or more pages in any newspaper, magazine or other periodical shall not be required to contain more than one warning statement, but the type size requirement shall be determined by the total aggregated size of the entire advertisement, and the warning statement shall appear on that page which contains the greater (or greatest) part of the advertisement.

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4. Every warning statement shall be set in a ruled rectangle. The size of the rectangle shall be determined by providing at both ends and at both top and bottom a space between the type block and the enclosing rule not less than the following spaces: where 10-point type is used in the warning statement, the rule shall be 8-points away from the type block; where 12-point type is used in the warning statement, the rule shall be 10-points away from the type block; where 14-point type is used in the warning statement, the rule shall be 12-points away from the type block; and where 16-point type is used in the warning statement, the rule shall be 14-points away from the type block. The width of the rule enclosing the rectangle shall be 1/4-point where 10-point type is used in the warning statment; 1/2-point where 12-point type is used in the warning statement; 3/4-point where 14-point type is used in the warning statement; and 1-point where 16-point type is used in the warning statement.

5. The warning statement shall be printed in black against a solid white background within the rectangle, and the enclosing rule shall be printed in black.

6. The warning statement in its rectangle in any newspaper, magazine, or other periodical advertisement shall be a separate element in each advertisement and shall not contain or include any part of any picture, design, illustration or text within the advertisement. The warning statement in its rectangle shall not be contained or included as an integral part of any specific pictorial design or illustration; in particular, it shall not be made a constituent part of a reproduction of the package of cigarettes. The warning statement in its rectangle may be printed or superimposed upon any pictorial background portion of any advertisement.

7. The warning statement in its rectangle in any newspaper, magazine, or other periodical advertisement may be positioned anywhere within the trim area of the advertisement, but shall not be positioned in the margin of any advertisement. The rectangle shall not be positioned immediately next to, or immediately contiguous to, any rectangular designs, elements, or similar geometric forms (other than a picture of the cigarette package) or immediately contiguous to any textual matter appearing in the advertisement.

8. Blurring or illegibility of the warning statement in its rectangle occurring for reasons beyond the control of the respondent shall not be in violation of this Order.

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D. On billboards of a size 24-sheets and larger, the type size of the warning statement shall be not less than 2 inches in height, and the rectangle and the enclosing rule shall be of a size, shape, contrast, and placement, proportionately corresponding to those specified in Subsections C-1, -2, -4, -5, -6, and -7 for newspaper, magazine, and other periodical advertisements of a trim size larger than 180 square inches. On billboards of a size 6-, 7-, and 8-sheets the type size shall be not less than 3/4 inches, on those of a size 2- through 5-sheets the type size shall be not less than 1/2 inch, and the rectangle and the enclosing rule shall be of a size, shape, contrast and placement, proportionately corresponding to those specified in Subsections C-1, -2, -4, -5, -6, and -7 for newspaper, magazine, and other periodical advertisements of a trim size larger than 180 square inches. On 1-sheet billboards the type size shall be not less than 24-points, and the rectangle and the enclosing rule shall be of a size, shape, contrast and placement, proportionately corresponding to those specified in Subsections C-1, -2, -4, -5, -6 and -7 for newspaper, magazine, and other periodical advertisements of a trim size larger than 180 square inches. On all public transit side cards of any shape the type size shall be not less than 18-points, and the rectangle and the enclosing rule shall be of a size, shape, contrast and placement, proportionately corresponding to those specified in Subsections C-1, -2, -4, -5, -6, and -7 for newspaper, magazine, and other periodical advertisements of a trim size larger than 180 square inches. All public transit end cards shall comply with the minimum requirements for 1-sheet billboards. The type style on any billboard or transit card shall be Univers 47 (Fdy) or a similar font.

E. On all point-of-sale promotional materials exhibited to cigarette purchasers, which have a surface containing an advertising display area of more than 36 square inches, the warning statement within its rectangle shall be included in a type size proportional to the type size specified in the nearest page size category for newspaper, magazine, and other periodical advertisements, as specified in Subsections C-1, -2, -3, -4, -5, -6, and -7. In determining the size of the advertising display area in point-of-sale promotional materials consisting of two or more pages, the total advertising display area of each page on which any printed or graphic material appears shall be aggregated, and where the aggregate of the advertising display area, on which any printed or graphic material appears, exceeds 36 square inches, the warning statement within its rectangle shall be placed on one of those pages and proportionalized to the size of that page in accordance with Section C. The warning statement shall not be required on any non-media

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advertising and promotional materials offered or given to consumers; nor shall the warning statement be required on any promotional materials which are not for public display or public consumer exposure, and are distributed to cigarette wholesalers, dealers, and merchants.

F. All advertising contained in non-point-of-sale leaflets, direct-mail circulars, paperback book inserts, and programs shall contain the warning statement within its rectangle in a type size proportional to the type size specified in the nearest page size category for newspaper, magazine, and other periodical advertisements, as specified in Subsections C-1, -2, -3, -4, -5, -6, and -7.

G. Sections C, D, E, and F of this Order shall become effective sixty (60) days after it is finally issued, but to meet the general and ordinary deadlines for submission of advertising copy established by the medium by or in which the advertisement is to appear, the requirements of Sections C, D, E, and F shall not be applicable (a) to newspaper, magazine, or other periodical advertising for which the closing date on which an advertiser must, according to the regular schedule of that newspaper, magazine, or other periodical, deliver the advertising material in final form to the printer, to the publisher, or as to spectacolor-type, to the production house, is less than forty-five (45) days after the date on which this Order shall become effective; (b) to advertising appearing on billboards for which copy must, according to the earliest practical date for replacement, be delivered in final form to the printer or painted or assembled on such billboards less than forty-five (45) days after the date on which this Order shall become effective, but in any event, as to advertising appearing on billboards Sections C, D, E, and F shall become applicable one hundred eighty (180) days from the date this Order shall become effective; (c) to advertising printed on non-point-of-sale leaflets, direct-mail circulars, paperback book inserts, and programs which is delivered in final form to the printer less than forty-five (45) days after the date on which this Order shall become effective, but in any event, as to advertising printed on non-point-of-sale leaflets, direct-mail circulars, paperback book inserts, and programs, Sections C, D, E, and F shall become applicable one hundred forty (140) days from the date this Order shall become effective; or (d) to point-of-sale promotional materials exhibited to cigarette purchasers, which have a surface containing an advertising display area of more than 36 square inches, delivered in final form to the printer less than forty-five (45) days from the date this Order shall become effective.

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H. This Order shall not be applicable to signs on factories, plants, warehouses, and other facilities related to the manufacture or factory storage of cigarettes, to corporate or financial reports, or to employment advertising, or to advertising in tobacco trade publications not circulated to consumers.

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Ex.
B

1005088538

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EXHIBIT B

Industry Standard

Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health.

Univers #47 — 16 point

Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health.

Univers #47 — 14 point

Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health.

Univers #47 — 12 point

Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health.

Univers #47 — 10 point

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Ex. C

1005088540

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EXHIBIT C

Staff Literal

14 Point Univers No. 47

Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous To Your Health.

12 Point Univers No. 47

Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous To Your Health.

10 Point Univers No. 47

Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous To Your Health.

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Ex. D

1005088542

Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

EXHIBIT D

Industry Literal

Warning: The Surgeon General Has Determined
That Cigarette Smoking Is Dangerous to Your Health.

Univers #47 — 16 point

Warning: The Surgeon General Has Determined
That Cigarette Smoking Is Dangerous to Your Health.

Univers #47 — 14 point

Warning: The Surgeon General Has Determined
That Cigarette Smoking Is Dangerous to Your Health.

Univers #47 — 12 point

Warning: The Surgeon General Has Determined
That Cigarette Smoking Is Dangerous to Your Health.

Univers #47 — 10 point

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Ex. E

1005088544

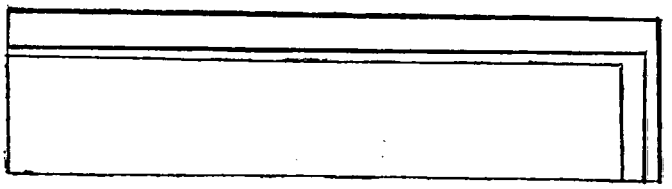
Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

COVINGTON & BURLING

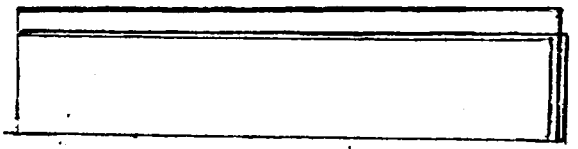
EXHIBIT E

Comparison Between The Total Areas Of The Standard And The Two Literals

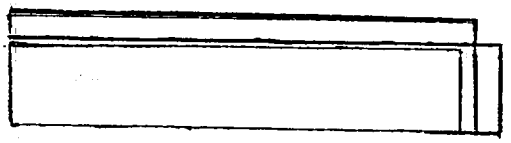
14 pt.



12 pt.



10 pt.



Blue - Staff Literal

Red - Industry Standard

Black - Industry Literal

1005088545

Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

Ex. F

1005088546

Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

MOCKUPS ILLUSTRATING INDUSTRY LITERAL,

INDUSTRY STANDARD AND STAFF LITERAL

10 PT. WARNING STATEMENT

1005088547

Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

Skeletons in the Closet

During the past several years, beginning with Marcel Ophuls's epic documentary, "The Sorrow and the Pity," and continuing with Louis Malle's passionately dispassionate "Lacombe, Lucien," the French cinema has been engaged in the excavation of buried and often shameful aspects of the Nazi occupation period. Attacking the Gaullist myth of glorious national resistance, these films argue that a wide range of French citizens either acquiesced in or eagerly embraced French Fascism and its collaborationist policies.

Two films have just arrived from France that place this story within personal narratives, focusing on that most carefully obscured of occupation secrets —the betrayal of French Jews by many of their fellow citizens. In Michel Drach's LES VIOLONS DU BAL, a reminiscence of his own fugitive boyhood during the war, one extended sequence shows Parisian Jews herded into buses while, behind closed shutters, the French aristocracy fraternizes with and fondles their German conquerors.

His own emerging ethnic consciousness as a boy is caught by Drach's beautiful and responsive 9-year-old son, David. Shipped to the provinces under an assumed name, David and his mother (played with affecting desperation by Drach's wife, Marie-Josée Nat) are lied to and left penniless by those few French willing to shelter them. bitter realism gives a edge to what would wise be a pleasing but tially sentimental mel of mama and boy toward the freedom Swiss border. The film saved from its own sed ly romantic style by observation of the disin tion of bourgeois family ne under the pressure of the war and of defeat.

Newsweek - 1/13/75

10 pt. - Industry Literal

Nat, Drach: Fighting toward freedom

Anger: Michel Mitrani's BLACK THURSDAY is also drawn from a personal memoir but Mitrani is more interested in settling scores than in evoking atmosphere. He has adapted the memoir of a French student who tried to warn and aid Parisian Jews on Thursday, July 16, 1942, when police rounded up 13,000 of them. Of the 4,500 Jewish children among them, none returned from the camps to which they were sent. Mitrani aims his anger also at those trusting Jewish families who went off meekly to their doom, confident that their French citizenship and their fellow countrymen would protect them against anything more serious than temporary displacement.

The haunting images of dazed Jewish

Us Tareyton smokers would rather fight than switch!

Join the unswitchables.

King Size: 20 mg "tar", 1.3 mg nicotine; 100 mm: 19 mg. "tar", 1.4 mg. nicotine, av. per cigarette, FTC Report Oct. '74.

Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health.

1005088548

Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

Skeletons in the Closet

Newsweek - 1/13/75

10 pt. - Industry Standard

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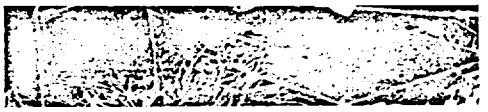

Nat, Drach: Fighting toward freedom

Anger: Michel Mitrani's **BLACK THURSDAY** is also drawn from a personal memoir but Mitrani is more interested in settling scores than in evoking atmosphere. He has adapted the memoir of a French student who tried to warn and aid Parisian Jews on Thursday, July 16, 1942, when police rounded up 13,000 of them. Of the 4,500 Jewish children among them, none returned from the camps to which they were sent. Mitrani aims his anger also at those trusting Jewish families who went off meekly to their doom, confident that their French citizenship and their fellow countrymen would protect them against anything more serious than temporary displacement.

The haunting images of dazed Jewish

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King Size: 20 mg. "tar", 1.3 mg. nicotine.
100 mm: 19 mg. "tar", 1.4 mg. nicotine, av. per cigarette, FTC Report Oct. '74.

Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health.

1005088549

Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

Skeletons in the Closet

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His own emerging ethnic consciousness as a boy is caught by Drach's beautiful and responsive 9-year-old son, David. Shipped to the provinces under an assumed name, David and his mother (played with affecting desperation by Drach's wife, Marie-José Nat) are lied to and betrayed ruthlessly by those few willing to shelter them. The bitter realism gives a sharp edge to what would otherwise be a pleasing but partially sentimental memoir of mama and boy toward the freedom of the Swiss border. The film is saved from its own sometimes overly romantic style by its fine observation of the disintegration of bourgeois family life under the pressure of the war and of defeat.

Newsweek - 1/13/75

10 pt. - Staff Literal

Nat, Drach: Fighting toward freedom

Anger: Michel Mitrani's BLACK THURSDAY is also drawn from a personal memoir but Mitrani is more interested in settling scores than in evoking atmosphere. He has adapted the memoir of a French student who tried to warn and aid Parisian Jews on Thursday, July 16, 1942, when police rounded up 13,000 of them. Of the 4,500 Jewish children among them, none returned from the camps to which they were sent. Mitrani aims his anger also at those trusting Jewish families who went off meekly to their doom, confident that their French citizenship and their fellow countrymen would protect them against anything more serious than temporary displacement.

The haunting images of dazed Jewish

Us Tareyton smokers would rather fight than switch!

Join the unswitchables.

King Size: 20 mg. "tar", 1.3 mg. nicotine; 100 mm: 19 mg. "tar", 1.4 mg. nicotine; av. per cigarette, FTC Report Oct. '74

Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous To Your Health.

1005088550

Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

MOCKUPS ILLUSTRATING INDUSTRY LITERAL,

INDUSTRY STANDARD AND STAFF LITERAL

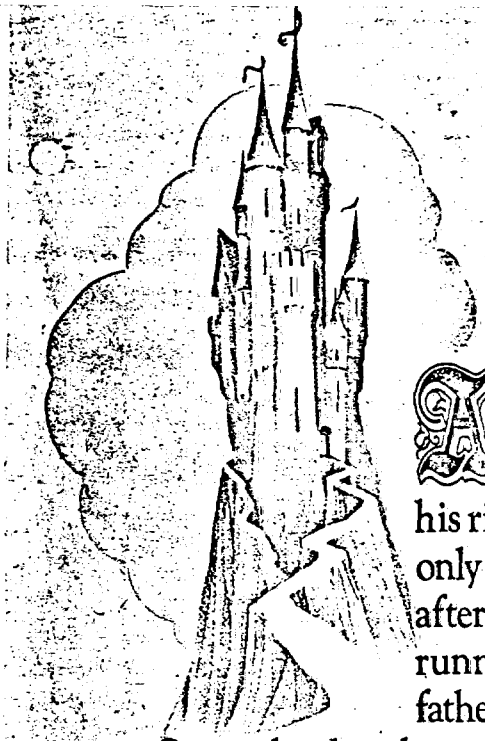
12 PT. WARNING STATEMENT

1005088551

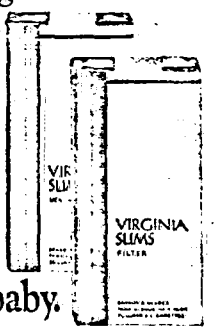
Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

Ladies Home Journal - 1/75

12 pt. - Industry Literal



And as they rode off into the sunset, the prince promised her his love, his riches and his castle in the clouds if only she would be his. She agreed. Later, after the wedding, they discussed the running of the kingdom. "The King, my father, is old and my blessed mother, the Queen, has long been gone and the castle is in terrible disarray," explained the Prince. "It needs the hand of a fine woman like yourself to straighten its many rooms and dust its many nooks and light its many fires and clean its many chimneys and sweep its many corridors and feed its many occupants and visitors. Then, we shall have many sons so that they may run the kingdom long after I am gone. I can only hope that when they come of age, they will be as lucky as I in finding a good wife." And with that, they kissed *and the Prince lived happily ever after.*



You've come a long way, baby.

Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health.

Regular: 16 mg. "tar," 1.1 mg. nicotine—Menthol: 17 mg. "tar," 1.1 mg. nicotine av. per cigarette, FTC Report Mar.'74

1005088552

Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

Women Sport - 1/75

12 pt. - Industry Standard

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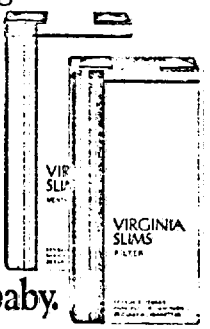

You've come a long way, baby.

Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health.

Regular: 16 mg. "tar," 1.1 mg. nicotine—Menthol: 17 mg. "tar," 1.1 mg. nicotine av. per cigarette, FTC Report Mar.'74

1005088553

Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

Ladies Home Journal - 1/75

12 pt. - Staff Literal

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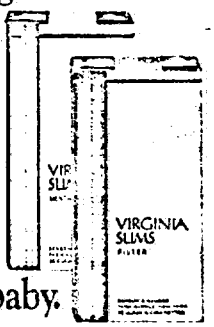

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Regular: 16 mg. "tar," 1.1 mg. nicotine—Menthol: 17 mg. "tar," 1.1 mg. nicotine av. per cigarette, FTC Report Mar.'74

1005088554

Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

MOCKUPS ILLUSTRATING INDUSTRY LITERAL,

INDUSTRY STANDARD AND STAFF LITERAL

14 PT. WARNING STATEMENT

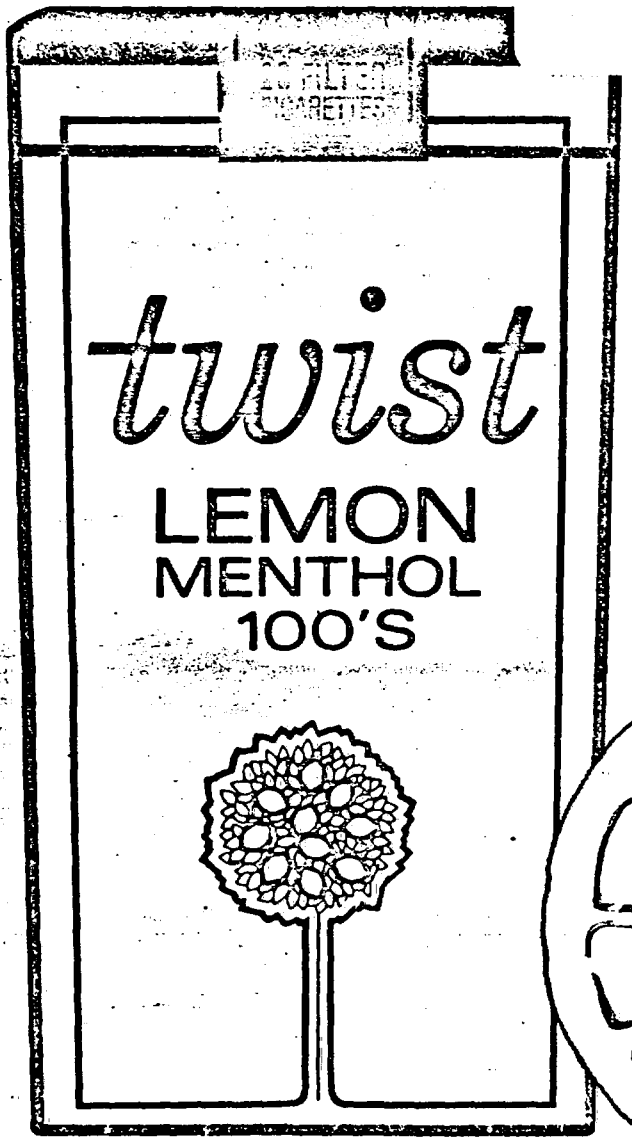
1005088555

Source: https://www.industrydocuments.ucsf.edu/docs/zjhk0000

Lemon-aid for me

Ebony - 1/75

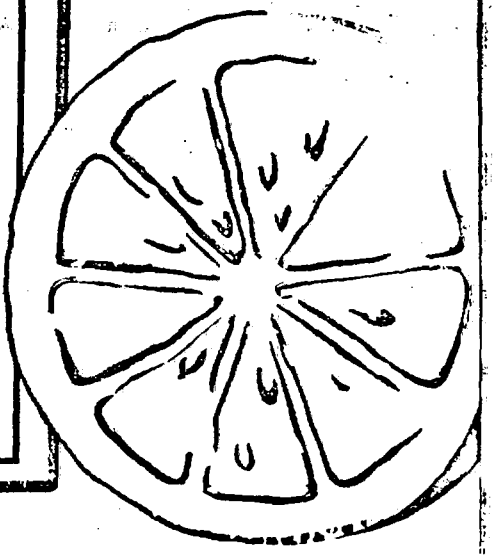
14 pt. - Industry Literal



All menthols promise a fresh, cool taste. But there's only one menthol with a dash of lemon freshness. So it tastes fresher than the others and gives you a smoother cool. Twist. The one and only lemon menthol.

Twist

Lemon Menthol 100's



Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health.

17 mg. "tar", 1.3 mg. nicotine av. per cigarette, FTC Report March '74.

1005088556

Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

Lemon-aid for me

Ebony - 1/75

14 pt. - Industry Standa

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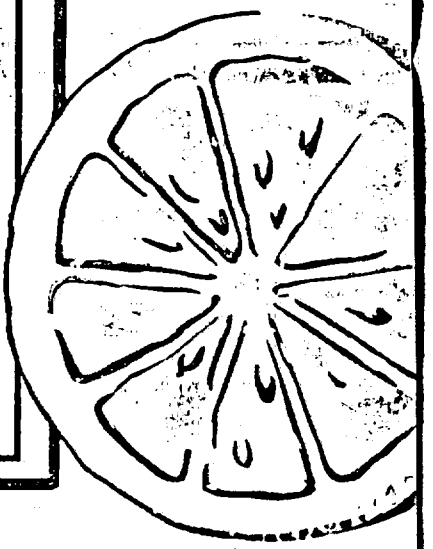
Twis

Lemon Menthol 10



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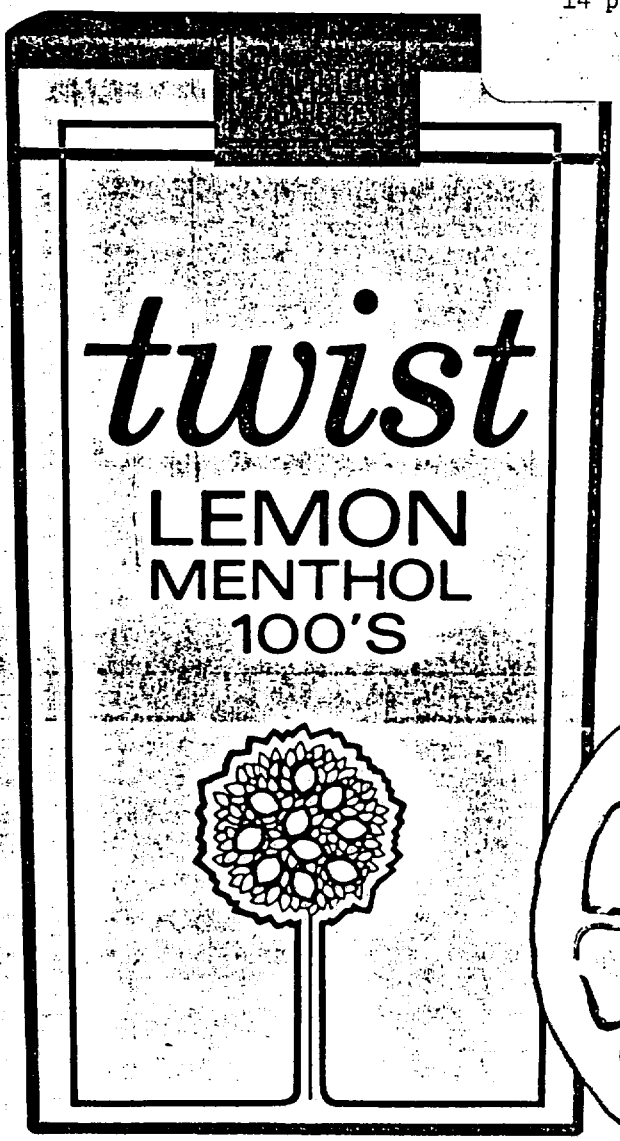
Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

Lemon-aid for mentho

Ebony - 1/75

14 pt. - Staff Literal



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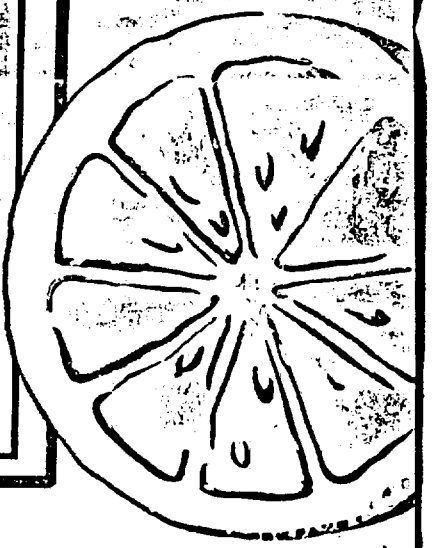
Twis

Lemon Menthol 10



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Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

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Source: https://www.industrydocuments.ucsf.edu/docs/zjnk0000

Full Page Newspaper Ad Submitted
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Actual size photocopy of portion
of advertisement

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But Kool
Only Koo
And then tops
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Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health

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